

To: Dave Kluesner/R2/USEPA/US@EPA[]
Cc: Ed Choromanski [Ed.Choromanski@dep.state.nj.us]; lizabeth Butler/R2/USEPA/US@EPA; Jeff Meyer [Jeffrey.Meyer@dep.state.nj.us]; eff Meyer [Jeffrey.Meyer@dep.state.nj.us]; ark Burghoffer [Mark.Burghoffer@dep.state.nj.us]; ichael Hoppe/R2/USEPA/US@EPA; Vanessa Day [vanessa.day@DEP.state.NJ.US]; anessa Day [vanessa.day@DEP.state.NJ.US]; oug@forumfg.com; Ana BAPTISTA [abaptista@ironboundcc.org]; na BAPTISTA [abaptista@ironboundcc.org]; arol Johnston [cjohnston@ironboundcc.org]; ebbie@nynjbaykeeper.org; Janine.MacGregor@dep.state.nj.us[]; anine.MacGregor@dep.state.nj.us[]
From: Bongiorno Productions
Sent: Tue 9/18/2012 7:14:30 PM
Subject: Re: Air Pollution Concerns in Newark / Passaic River CAG Meeting September 18 Agenda
www.BongiornoProductions.com
<http://www.epa.gov/region2>

Dear Dave Kluesner and All-

Thanks for your response.

1. We will not attend tonight's CAG meeting since, per your email, there is no devoted agenda topic and the NJ DEP won't be present.
 - a. How important can this topic if the hosting parties have not made it an important agenda item? There should be a topic devoted to this where all our evidence and experiences are discussed point-by-point and not simply relegated to some rushed "public comments," as at the last meeting we attended.
 - b. How important can this meeting be if not one NJ DEP rep can attend?

But regardless of our attendance, we need to emphasize that before any remediation, you must, first, devise fail-safe systems to trap all odors from any Cleanup. As stated in our last e-mail to you, due to the improper technique during the Diamond Alkali Cleanup, we experienced months of unhealthy, fouled air containing chlorobenzene (as witnessed by firefighters and NJ DEP). You simply cannot continue using your current remediation techniques - you're doing us harm.

2. In regards to meeting with you, we can do so but - first - we have some questions:
 - a. Can you fully apprise us of the health risks that we've been exposed to?
 - b. Are you planning to trap odors in your future Cleanups?
 - c. Are you planning to station inspectors 24/7 in Newark to police odors?

If the answers to these questions are "no," what benefit can we can gain from meeting with you?

Newark is industrial but that shouldn't preclude those of us, who choose to live here, from safe air. Industrial success requires vigorous monitoring, which would have prevented contamination in the first place.

We're here to help.

Please confirm receipt and advise.

Sincerely,
-Marylou & Jerome

Marylou & Jerome Bongiorno
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On Sep 16, 2012, at 6:09 PM, Dave Kluesner wrote:
Marylou & Jerome Bongiorno:

This is in reply to your August 30 email to Michael Hoppe (EPA) and Ed Choromanski (NJ DEP). The EPA would be glad to discuss with you at any time the concerns and requests identified in your email (below). EPA staff Elizabeth Butler, Michael Hoppe and I have had several discussions with you about your concerns and requests. At the August meeting of the Passaic River Community Advisory Group (Passaic CAG) that you attended, the CAG leadership suggested that your comments be discussed more fully at a future CAG meeting. The goal was to have this discussion at the September CAG meeting. That meeting is scheduled for this Tuesday, September 18 at 6 PM at St. James Church School in Newark. You should have received the notice from me via email regarding the meeting date, location and agenda since you are a member of the Passaic subscribers email group. As indicated on the agenda, (copied below) and at the request of the Passaic CAG co-chairs, EPA is giving presentations on the Newark Removal (a close-out summary), the upcoming Lyndhurst removal and a large portion of time devoted to the cleanup options under consideration for remediation of the lower 8 miles of the Passaic River.

The CAG co-chairs have expressed a desire for EPA and NJ DEP to respond to your specific comments and requests at a CAG meeting where those NJ DEP staff and management that have direct knowledge of the issues are present. EPA did extend an invitation to NJ DEP to attend the September 18 CAG meeting, however, they are unable to attend. EPA has set up a meeting with NJDEP in October to discuss this matter with them fully. EPA will work with the CAG leadership to place this topic on a future meeting agenda. While there is no devoted agenda topic to discuss your email this month, you are always welcome to attend the CAG meeting. As always, EPA is available to discuss this further or meet with you at any time.

September 18, 2012 Passaic CAG Meeting Agenda

6:00 PM Agenda Review

- Introductions

- Status of Technical Assistance Support for Communities (TASC) request
 - Status of information request on odor complaints

6:15 PM Phase 1 Removal Summary and Results, Q&A
 --Liz Bulter, USEPA

6:45 PM River Mile 10.9 Removal Project Update, Q&A
 --Ray Basso, USEPA

7:15 PM Path Forward on Decision-Making for Lower 8 Miles, Remedial Options and Key Considerations
 --Walter Mugdan, USEPA

8:00 PM Q&A

8:30 PM Public Comment

8:30 PM Wrapup and Next Steps for the CAG

David Kluesner - Public Affairs
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From: Bongiorno Productions <bonpix@verizon.net>
To: Michael Hoppe/R2/USEPA/US@EPA, Ed Choromanski <Ed.Choromanski@dep.state.nj.us>
Cc: Elizabeth Butler/R2/USEPA/US@EPA, Dave Kluesner/R2/USEPA/US@EPA, Vanessa Day <vanessa.day@DEP.state.NJ.US>, Jeff Meyer <Jeffrey.Meyer@dep.state.nj.us>, Mark Burghoffer <Mark.Burghoffer@dep.state.nj.us>
Date: 08/30/2012 05:17 PM
Subject: URGENT: Air Pollution in Newark Update

Dear Mr. Michael Hoppe, Director Ed Choromanski, and All-

As Newark filmmakers who reported and researched the noxious odors at our home from April 19 - July 11, 2012, we urge you to cease all operations dealing with the cleanup of toxic chemicals related to the Passaic River because of the irresponsible and unsafe nature of your methods.

To update you since our last contact and per our ongoing research with experts:

Since 7.11.12, we have not detected the aforementioned chronic chemical plastic odor that we reported to the DEP since April and confirmed with EPA and DEP representatives and meteorological data.

Since this coincides with the end of the EPA's dredging and dewatering of contaminated sludge from the Passaic River adjacent to the Diamond Alkali Superfund site (the "Cleanup"), and per our conversations with the EPA and DEP, it's apparent that the EPA's Cleanup caused our odor problem and that the principle chemical we were smelling is chorobenzene, a carcinogen.

Exposure to aforementioned and other highly toxic chemicals, made airborne during the Cleanup, caused us a great deal of stress, threaten our health, and significantly decreased our quality of life by severely and seriously "interfer[ing] with the enjoyment of life or property" which is our right, per NJ law.

We also expended countless hours of work in tracking the odor to its source due to the DEP's irresponsible withholding of information about the probable source and lack of access to its inspectors.

We need the following addressed immediately:

1. Per Mr. Hoppe's recommendation: EPA Health Risk Assessment Team to meet with us to review the hazards of our past exposure including whether produce from home gardens is safe for consumption.
2. A detailed plan to completely trap all emissions before any future Cleanup - including the Lyndhurst site and any Newark-based dewatering - can be considered.
3. Plan to police all Newark air, 24/7. According to your own representatives, serious air violations are not being reported, monitored, or corrected.

Please confirm receipt and advise.

Thanks for your assistance,
-Marylou & Jerome Bongiorno

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